

1  
2  
3  
4  
5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
7

8 IN RE: UBER TECHNOLOGIES, INC.,  
9 PASSENGER SEXUAL ASSAULT  
10 LITIGATION

11 This Document Relates to:  
12 ALL CASES  
13

Case No. 23-md-03084-CRB

**AFFIDAVIT OF TIFFANY R. ELLIS IN  
SUPPORT OF PLAINTIFFS' LIST OF  
DISPUTED ENTRIES FOR SPECIAL  
MASTER REVIEW**

Judge: Honorable Barbara S. Jones

1 I, Tiffany R. Ellis, hereby declare as follows:

2 1. I am a partner of Peiffer Wolf Care Kane Conway & Wise, an attorney licensed in  
3 the States of Michigan and Illinois and duly admitted to practice before this Court, representing  
4 Plaintiffs in the above caption action.

5 2. I submit this declaration in support of Plaintiffs' List of Disputed Entries for  
6 Special Master Review on April 8, 2025.

7 3. Plaintiffs incorporate the Discovery Letter Brief Regarding Disputed Entries for  
8 Special Master Review filed by All Plaintiffs on March 4, 2025. *See* ECF No. 2434. Plaintiffs  
9 incorporate the brief to support the specific reasons each entry on the List of Disputed Entries  
10 was challenged. The Brief included the general background of the privilege dispute process to  
11 date, the legal standard for Plaintiffs raising challenges to Defendants' privilege log entries, and a  
12 general argument for the challenges Plaintiffs raised.

13 4. The List of Disputed Entries for Special Master Review Plaintiffs provided on  
14 April 8, 2025 contained entries still in dispute for custodian Mat Henley.

15 5. The List of Disputed Entries for Special Master Review Plaintiffs provided on  
16 April 8, 2025 did not contain any entries for the custodians that overlapped with custodians  
17 already submitted to the Special Master for review.

18 **Mat Henley**

19 6. Defendants included approximately 767 entries for Mat Henley across its Tranche  
20 1, Tranche 2, Tranche 3, and Tranche 4 privilege logs.

21 7. Plaintiffs originally challenged approximately 53 of these 767 entries.

22 8. As of January 31, 2025<sup>1</sup>, Defendants withdrew their claim of privilege to 1 entry  
23 in full and 0 entries in part.

24 9. On March 10, 2025, Defendants provided Plaintiffs with a revised privilege log  
25 after Defendants re-reviewed all entries in dispute. Defendants withdrew their claim of privilege  
26 to 22 entries in full and 11 entries in part.

27 \_\_\_\_\_  
28 <sup>1</sup> Defendants provided Plaintiffs a revised privilege log on January 31, 2025. This was the last revised privilege log  
Defendants provided before they started providing revised privilege logs in accordance with the Master Order No. 2.  
*See* ECF No. 2357.

1           10. Defendants provided Plaintiffs with their latest revised Privilege Log on April 7,  
2           2025. In total, to date, Defendants have withdrawn or will withdraw their claim of privilege to  
3           approximately 26 entries in full and 18 entries in part. These entries do include entries included  
4           on Defendants' post January 10, 2025 privilege logs.

5           11. On March 25, 2025, Plaintiffs provided the Special Master and Defendants with a  
6           list of 16 entries still in dispute for Mat Henley following a review of Uber's revised privilege  
7           log that included updated or additional information provided by Uber, documents produced with  
8           redactions, or lessons learned from Judge Cisneros' privilege orders and Defendants' March 14,  
9           2025 privilege log.

10          12. On April 7, 2025, Defendants provided written response to Plaintiffs' list and the  
11          parties met and conferred. On that day, Defendants withdrew their claim to an additional 4  
12          entries and produced 7 additional entries with redactions or reduced redactions.

13          13. On April 8, 2025 Plaintiffs provided the Special Master and Defendants with a list  
14          of 4 entries that remain in dispute for Mat Henley. The list included an email sent to Uber by a  
15          third party and three attachments to the third-party email. This challenged third party entry  
16          involved a party that Defendants did not identify on its "Third Party Digest" which it provided  
17          Plaintiffs on December 14, 2024 and as such, no attorney-client relationship exists.

18  
19               Executed this 11th day of April, 2025 in Detroit, Michigan.

20  
21                               /s/ Tiffany R. Ellis  
22                               Tiffany R. Ellis